

Attorney Docket No. FRYHP0127US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT application of:

Applicant: James Robert Durrant et al. Serial No: 10/520,608
Filed: January 3, 2005 Examiner: Marc A. Patterson
Art Unit: 1794

Title: OXYGEN-SCAVENGING PACKAGING

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated June 24, 2009, of the Primary Examiner finally rejecting claims 1-34.

Applicant is:
 a small entity other than a small entity
\$270.00 Fee \$540.00 Fee

Fee Payment:

Attached is a check covering the aforesaid fee
 Credit card payment covering the fee
 Not required (fee paid in prior appeal in this application)
 Charge fee to Deposit Account No. 18-0988 under Attorney Docket No.
FRYHP0127US

The Commissioner is authorized to charge any additional fee which may be required by this notice, or credit any overpayment, to Deposit Account No. 18-0988 under Docket No. FRYHP0127US.

Respectfully submitted,

/Don W. Bulson/

Registration No. 28,192
RENNER, OTTO, BOISSELLE & SKLAR, L.L.P.
1621 Euclid Ave. - 19th Floor
Cleveland, Ohio 44115
(216) 621-1113